REMARKS

Claims 1-9 and 11-22 remain in this application. A request for a two-month extension of time is submitted herewith. Applicant respectfully requests reconsideration.

In response to Applicant's Appeal Brief filed on April 7, 2004, traversing the rejections of the claims substantially as set forth in this amendment, the present non-final office action brings forth a new reference to *McNeill et al.* (US 6,421,706 B1).

Claims 1-5, 7-9, 11, 14 and 18 were rejected under 35 U.S.C. § 102(e) as anticipated by *McNeill*. Applicant respectfully traverses.

As explained in Applicant's Appeal Brief, page 4, the present invention is a method of delivering an interactive application which has a set of application components (for example, executable program files, bitmaps, sound samples, real time data instructions and video clips) to a plurality of target platforms wherein each target platform is a different broadcast network operating under its own unique broadcast protocols (such as all ASCI text, or MPEG-2, for example).

Claim 1 sets forth a method of delivering an interactive application to a plurality of target platforms constituted by different broadcast networks, each broadcast network operating a respectively different broadcast protocol. The method comprises "converting the set of application components into a plurality of streams of broadcast data, each stream of broadcast data conforming with the broadcast protocol of the respective target platform."

Claim 9 sets forth an apparatus for delivering an interactive application to a plurality of target platforms constituted by respective different broadcast networks, each broadcast network operating a respectively different broadcast protocol. The apparatus comprises "a plurality of broadcast systems interfaces each converting the set of application components into a respective

stream of broadcast data conforming with the broadcast protocol of the respective target platform."

The *McNeill* patent describes a conferencing system in which data from a conference presentation 101 is fed via a data encoder to a number of web pages which can be accessed by remote participants (112 through 115). According to *McNeill*, these remote participants may have different bandwidth capabilities. In order to deal with these different bandwidth capabilities, the conference data set 116 is formatted for both high bit rate and low bit rate transmission, as described in *McNeill et al.,* col. 5, line 28, et seq.

McNeill is clear that the transmission protocol utilized for the high bit rate and the low bit rate data is the same. As described in *McNeill*, col. 5, lines 41-42 (high bit rate), and lines 55-58 (low bit rate), the same transmission protocol, "SM PIM UDP/IP", is utilized for both a high bit rate and a low bit rate transmission.

There is no teaching or even a suggestion in *McNeill,* that the conference data set is transmitted using different broadcast protocols. To the contrary, *McNeill* teaches that the broadcast protocol for the different bit rates is the same.

Accordingly, independent claim 1 and claim 9 are seen as allowable over *McNeill*. The remaining claims which depend from claim 1 or claim 9 are therefore also allowable over *McNeill*. Applicant respectfully requests that this rejection be withdrawn.

Claims 1-9, 11-13 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Travaille et al.* (US 6,067,107) in view of *Agraharam et al.* (US 6,389,471), and further in view of *McKeown et al.* (US 6,287,199). Applicant respectfully traverses.

The combination of *Travaille* and *Agraharam* was specifically addressed in Applicant's Appeal Brief, pp. 7-13. Applicant respectfully reasserts the arguments here.

The office action asserts that "Agraharam et al. teaches each broadcast network operating a respectively different broadcast protocols (because the information retrieved from the WWW is generally in HTML, it may be necessary to convert the HTML to a format that is compatible with the broadcast receiver. . . ." As explained in Applicant's Appeal Brief, *Agraharam* simply does not teach, nor does he contemplate, multiple broadcast networks wherein each broadcast network has a different broadcast protocol.

Specifically, col. 3, lines 7-17, of *Agraharam* describe how the communication server 308 takes an HTML presentation and forwards this either as HTML pages to client terminals 103, 104, or converts it into MPEG-2 format before forwarding it. This is not the use of two different broadcast protocols. HTML is not a broadcast protocol. It is a language for describing a page layout. MPEG-2 is a video protocol and, as explained in col. 3, lines 9-11, of *Agraharam*, the MPEG-2 format is used simply to provide the HTML presentation to client terminals which are unable to process HTML.

The office action concedes, "Travaille does not specifically disclose each broadcast network operating a respectively different broadcast protocols and the interactive application comprises components." The office action incorrectly relies on *Agraharam* for this teaching because the office action confuses HTML with a broadcast protocol. *Agraharam* only teaches the use of one broadcast protocol, MPEG-2. *Agraharam* simply describes sending HTML pages directly, or as a video presentation of the HTML pages, in MPEG-2 format.
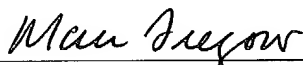
Since the combination of *Agraharam* and *Travaille* does not teach or even suggest the claimed invention of "converting the set of application components into a plurality of streams of broadcast data, each stream of broadcast data conforming with the broadcast protocol of the

respective target platform," as set forth in claims 1 and 9, Applicant respectfully submits these claims are allowable and requests that this rejection be withdrawn.

All the remaining claims which depend from claim 1 or claim 9 are therefore also allowable.

In light of the above amendment and remarks, Applicant believes that all the claims in the application are in condition for allowance and respectfully requests that this application be passed to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. **EV 456686529 US** addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 8, 2004.

By: _____Marc Fregoso_____

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Signature

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Respectfully submitted,

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